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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, MAY 21, 2002

APPLICATION OF
XO VIRGINIA, L.L.C.

CASE NO. PUC-2002-00071

For limited waivers of price
ceilings for directory
assistance and request for
expedited review

ORDER PRESCRIBING NOTICE AND
INVITING COMMENTS AND/OR
REQUESTS FOR HEARING

On April 9, 2002, XO Virginia, L.L.C. ("XO" or the "Applicant"), completed an application for limited waivers of price ceilings for directory assistance and request for expedited review with the State Corporation Commission ("Commission"). The Applicant requests that the Commission waive the price ceilings, as set forth in 20 VAC 5-400-180 D 3 d of the Commission's Rules Governing the Offering of Competitive Local Exchange Telephone Service ("Local Rules"), for Directory Assistance with Call Completion service. Further, XO requests an expedited review to meet its intended service rollout beginning June 1, 2002.

XO asserts that its Directory Assistance service differs from that of the incumbent in that: (a) XO automatically

Effective April 9, 2002, the new Case Management System requires that the case number format for all Commission orders change from, e.g., PUE010663 to the following: PUE-2001-00663.

provides Call Completion service to customers using its Directory Assistance service at no additional charge; and (b) XO's Directory Assistance may be used to access national numbers for the same price as local numbers. Based on these distinctions, the Applicant asserts that its Directory Assistance cannot be properly priced at or below that of the incumbent local exchange carrier's separate local Directory Assistance and Call Completion services. XO states that it will continue to provide three Directory Assistance calls to customers per month without charge. The Applicant represents that customers have other cost-free alternatives for obtaining telephone numbers.

NOW THE COMMISSION is of the opinion and finds that this matter should be docketed. The Commission notes that if it grants the requested price ceiling waiver, XO would have no rate limitations on the prices it could charge for its Directory Assistance with Call Completion service. However, 20 VAC 5-400-180 D 3 d of the Local Rules authorizes the Commission to permit pricing structures or rates that do not conform with the price ceilings unless there is a showing that the public interest will be harmed.

We find that interested parties should be offered the opportunity to comment and/or request a hearing on XO's application. We will, therefore, direct XO to provide notice to

the public of its request for a waiver of the price ceilings for Directory Assistance with Call Completion service and invite comments and/or requests for hearing on the application. As such, the Commission will not be able to accommodate the Applicant's request for an expedited review to meet its intended service rollout beginning June 1, 2002.

Accordingly, IT IS THEREFORE ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUC-2002-00071.

(2) XO shall make a copy of this Order and the application available for public inspection during regular business hours at the Applicant's office at 8613 Lee Highway, Suite 200, Fairfax, Virginia 22031. Copies may also be ordered from the Applicant by making a written request to Renardo L. Hicks, XO Virginia, L.L.C., 925 Berkshire Boulevard, Wyomissing, Pennsylvania 19610. A copy of this Order and the application may also be reviewed during regular business hours in the Commission's Document Control Center, First Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia.

(3) On or before June 1, 2002, XO shall provide notice to its customers of its application. Notice may be published in newspapers of general circulation in the Applicant's service territory. Bill inserts are also acceptable. At a minimum, the notice shall contain the following:

NOTICE OF XO VIRGINIA, L.L.C., OF
ITS APPLICATION FOR LIMITED WAIVERS
OF PRICE CEILINGS FOR DIRECTORY ASSISTANCE
AND REQUEST FOR EXPEDITED REVIEW
CASE NO. PUC-2002-00071

On April 9, 2002, XO Virginia, L.L.C. ("XO" or the "Applicant"), filed with the State Corporation Commission ("Commission") an Application for Limited Waivers of Price Ceilings for Directory Assistance and Request for Expedited Review. The Applicant requests the Commission to waive the price ceilings, as set forth in 20 VAC 5-400-180 D 3 d of the Commission's Rules Governing the Offering of Competitive Local Exchange Telephone Service ("Local Rules"), for Directory Assistance with Call Completion service.

XO asserts that its Directory Assistance service differs from that of the incumbent in that: (a) XO automatically provides Call Completion to customers using its Directory Assistance service at no additional charge; and (b) XO's Directory Assistance may be used to access national numbers for the same price as local numbers.

If granted these waivers, XO would be allowed to increase prices for its Directory Assistance with Call Completion service. However, notice of any subsequently proposed increase would have to be provided in advance to customers.

The Commission invites interested parties to comment or request a hearing on XO's application. Comments or requests for hearing should be addressed to Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, First Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219. Such comments or requests for hearing shall refer to Case No. PUC-2002-00071 and must be filed on or before June 17, 2002.

Copies of XO's application and the Commission's Order in this case may be obtained by contacting Renardo L. Hicks, XO Virginia, L.L.C., 925 Berkshire Boulevard, Wyomissing, Pennsylvania 19610. Copies are also available for public inspection during regular business hours at XO's office at 8613 Lee Highway, Suite 200, Fairfax, Virginia 22031 or in the Commission's Document Control Center, First Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia.

XO VIRGINIA, L.L.C.

(4) On or before June 17, 2002, interested parties may file written comments and/or requests for hearing on XO's application with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, First Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219. Such comments or requests for hearing shall refer to Case No. PUC-2002-00071. Any request for hearing shall state why the issues raised cannot be adequately addressed in written comments. If no sufficient request for hearing is received, the Commission may consider XO's application based upon the papers filed therein without convening a hearing at which oral testimony is received. Copies shall also be served on XO at the address set forth in Ordering Paragraph (2) above.

(5) On or before June 28, 2002, the Applicant shall file with the Commission proof of notice as ordered herein.

(6) This matter is continued generally.